

August 14, 2007

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

Humboldt County DPW – McCann Road Embankment Repair
WDID No. 1B07057WNHU

Humboldt County

On May 4, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Humboldt County Department of Public Works (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to a storm damage repair project that involves repairing a failed embankment on McCann Road at Post Mile 0.20 near McCann. The proposed project will cause disturbances to waters of the United States associated with the Eel River in the Sequoia Hydrologic Subarea No. 111.41.

McCann Road is a rural gravel road that follows the north (and/or east) side of the Eel River across the river from the communities of McCann and Whitlow. Severe storm events in December 2005 and January 2006 caused erosion along a 60 foot long section of the streambank adjacent to McCann Road. The bank erosion resulted in removal of a section of road shoulder and undercutting below a small stand of large redwood trees. The eroded embankment area is approximately 60 feet long measured parallel to the road and 15 feet wide measured from the edge of the roadway to the down slope edge of the bank failure. The proposed project involves placement of approximately 133 cubic yards of 1/2-ton to 1-ton rock slope protection (RSP) over the eroded area. Approximately 40 cubic yards of the RSP will be placed below the line of ordinary high water of the Eel River. Approximately 71 cubic yards of imported fill material will be placed between the edge of the existing gravel road and new RSP to restore the road shoulder. Equipment used for placing the RSP and fill material will primarily be operated from the road surface. Heavy equipment may also need to operate from the dry gravel bar adjacent to the project area.

The proposed project will result in 300 square feet (0.006 acre) and 60 linear feet of permanent impacts to the streambank. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation for this project includes seeding disturbed areas with a mix of fast growing native plants and incorporating native tree plantings in the toe area of the RSP. Noncompensatory mitigation for this project also includes the use of Best Management Practices for sediment and turbidity control and the use of heavy equipment near a waterway. The proposed project is scheduled for the summer 2007 when the flows in the river are low. The active low flow channel is currently on the opposite bank of the river channel. Construction activities are expected to take three days to complete.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 3, pursuant to Clean Water Act, section 404. The Humboldt County Department of Public Works has

determined that this project is statutorily exempt from California Environmental Quality Act (CEQA) review (section 15301 – existing facilities and section 15304 – minor alterations to land). Based on a review of the project information submitted to date, Regional Water Board staff have determined that this project is categorically exempt from CEQA review (Class 1, Section 15301 – existing facilities) and anticipate filing a Notice of Exemption for this project.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.